

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,)	
)	
v.)	No. 3:08-CR-107
)	Judges Phillips/Guyton
RALPH T. O'NEAL III)	

PROTECTIVE ORDER

This matter having come before the Court upon the Motion of the United States of America for the entry of a protective order pursuant to Title 21, United States Code, Section 853(e)(1)(A), and it appearing to the satisfaction of this Court:

1. That on July 1, 2008, a federal grand jury of this District returned an Indictment charging the above-named defendant with violations of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A), and alleging that the property named in this Order would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Section 853.

2. That the United States has moved, for a Protective Order pursuant to Title 21, United States Code, Section 853(e)(1)(A), so as to preserve the status quo and prevent defendant, RALPH T. O'NEAL III , from alienating, encumbering, or wasting said forfeitable property; and

3. That based upon the Indictment and the Supporting Motion submitted by the United States, cause has been shown for the entry of a protective order to preserve the property named in Attachment A to this Order.

Protective Order

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It is, therefore, the ORDER of this Court that this Protective Order issue as to the property described in Attachment A hereto, incorporated herein by this reference, to wit:

The defendant, RALPH T. O'NEAL III, his agents, servants, employees, attorneys, family members, those persons having any interest or control over the property described in Attachment A or any corporate entity claiming an ownership interest in the property described in Attachment A, and those in active concert or participation with the defendant, shall not, without approval of this Court upon notice to the United States and an opportunity for the United States to be heard:

- a) alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of, in any manner, directly or indirectly;
- b) cause to be alienated, dissipated, transferred, sold, assigned, leased, pledged, encumbered, or disposed of in any manner; or
- c) take, or cause to be taken, any action which could have the effect of concealing or moving from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of any property named in Attachment A to this Order.

It is further ORDERED that if any of the property described in Attachment A has been or is transferred or disposed of by any means, the defendant, RALPH T. O'NEAL III, shall account to the Court for the disposition of the property.

It is further ORDERED that defendant, RALPH T. O'NEAL III, shall be served with a copy of this Order.

It is further ORDERED that the Clerk of this Court provide the United States Attorney's Office with a certified copy of this Order to record in the county records where the identified real property is located as soon as practical.

This order shall remain in effect until further Order of the Court or until the Court modifies the Order as appears necessary in the interest of justice and consistent with the purposes of Title 21, United States Code, Section 853.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge

Submitted for Entry:

JAMES R. DEDRICK
United States Attorney

By: s/ David C. Jennings
DAVID C. JENNINGS
Assistant United States Attorney

ATTACHMENT "A"

Real property located at 304 Roddy Lane, Harriman, Tennessee, the legal description of which is as follows and is found at Book 1106, pages 633-34 at the Register of Deeds Office in Roane County, Tennessee:

Situated, lying and being in the First (1st) Civil District of Roane County, Tennessee, being shown in the Tax Assessor's Office of Roane County as Map 057, Group None, Ctrl. Map 057, Parcel 008.00, and being more particularly described as follows, to-wit:

Beginning at the intersection of the Northwest right-of-way line of U.S. Highway #70 and the East line of Bowman; thence with the East line of Bowman in a Northwesterly direction 600 feet to a sycamore tree; thence in a Northeasterly direction 372 feet to an elm tree; thence in a Southeasterly direction along a lane 600 feet to a point; thence in a Southwesterly direction 372 feet to the point of Beginning.

Being the same property conveyed to Maceo Roddy and wife Beatrice Roddy by Warranty Deed dated October 23, 1956, and recorded in the Register's Office of Roane County, TN, in Deed Book Z, Series 7, page 259; for further reference, see Deed Book B, Series 18, page 41.